

1 Edward J. Maney, Trustee  
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5 IN THE UNITED STATES BANKRUPTCY COURT  
6 FOR THE DISTRICT OF ARIZONA

7 In re: ) CHAPTER 13 PROCEEDINGS  
8 )  
9 RONALD W. OSTLUND, ) CASE NO. 10-04091-PHX-RTB  
DIANE M. OSTLUND, )  
10 ) DISMISSAL ORDER  
Debtor(s) )

11  
12 It having been shown to the Court that the Debtor(s) has failed to comply with the Court  
requirement concerning:

13  
14 The debtor has failed to remit any Plan payments to the Trustee since the date  
this case was filed on February 18, 2010, as required by the Court's General  
15 Order. Also, the Arizona Department of Revenue's claim dated February 23, 2010  
lists unfiled income tax return(s) for 2008 and 2009.

16  
17 Therefore, pursuant to the Court's General Order,

18  
19 IT IS ORDERED THAT:

- 20  
21 1. This case is dismissed and the Clerk of the Court will give notice of the dismissal to all creditors;  
22  
23 2. A Motion to Reinstate the case may be granted without a hearing if the Trustee approves the  
24 proposed reinstatement order. If the Trustee does not approve reinstatement of the case, the  
25 matter may be set for hearing upon the Debtor(s)' motion. The Court may set a hearing on the  
26 Debtor(s)' motion to reinstate on the request of an interested party who had joined the Trustee's  
27 request for dismissal;  
28  
3. Pursuant to 28 U.S.C. §586(e)(2), the Trustee shall be paid his percentage fee from all  
payments received from the Debtor(s);

4. After payment of the Trustee's percentage fee, the Trustee will retain the Debtor(s)' funds pending Court approval of the payment of administrative expenses of the Debtor(s)' attorney. If the Debtors' Chapter 13 Plan contained an Application for Payment of Administrative Expenses to the Debtor(s)' attorney and no party filed an objection to the Application, then the Debtor(s)' attorney may lodge an Order approving the Application within ten (10) days after the Court enters this Dismissal Order. Alternatively, the Debtor(s)' attorney has ten days from the Court entering this Dismissal Order to file a separate fee application;
5. If the Court previously entered a payroll deduction order on one or both of the debtors' wages, then the Court vacates that order; and
6. Except as may be stated herein, all pending adversary proceedings, contested matters, and administrative hearings related to this case are vacated

DATED: \_\_\_\_\_

\_\_\_\_\_  
U. S. BANKRUPTCY JUDGE

Copies of the forgoing  
Mailed [see electronic signature]  
to the following:

Ronald Ostlund  
Diane Ostlund  
29834 N. 77<sup>th</sup> Place  
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Debtors

Geoffrey M. Khotim, Esq.  
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Phoenix, Arizona 85004  
Debtors' counsel

By: \_\_\_\_\_  
Clerk, Chapter 13 Trustee